

United States District Court

for

The Western District of New York



Request for Modifying the Conditions or Term of Supervised Release

Name of Offender: Craig Schieder

Case Number: 1:08CR00147-001

Name of Sentencing Judicial Officer: Honorable Richard J. Arcara, U.S. District Judge

Date of Original Sentence: 11/26/08

Original Offense: Wire Fraud, in violation of 18 U.S.C. §1343

Original Sentence: Imprisoned for a term of twelve (12) months, followed by three (3) years of supervised release. Special conditions: substance abuse/testing treatment, full financial disclosure, no new debt while a restitution balance is outstanding and restitution in the amount of \$399,435.06.

Modification: On April 8, 2011, the subject's conditions were modified to include three (3) months home detention monitored by an electronic monitoring unit as a result of testing positive for cocaine on July 10, 2010, and March 18, 2011.

Violation Petition: On December 13, 2011, a violation petition was sent to Your Honor due to the subject testing positive for cocaine on December 7, 2011. The subject's next court date is March 30, 2012, and is scheduled for a status on his compliance with treatment.

Type of Supervision: Supervised Release

Date Supervision Commenced: 02/02/10

PETITIONING THE COURT

- ☐ To extend the term of supervision for years, for a total term of years.
☒ To modify the conditions of supervision as follows:


The defendant is to submit to a mental health evaluation. If indicated by the evaluation, the defendant shall participate in mental health treatment, the details of such treatment to be approved by the U.S. Probation Office. The defendant is not to leave such treatment until discharge is agreed to by the U.S. Probation Office and the treating agency. While in treatment or taking psychotropic medication, the defendant shall abstain from the use of alcohol. The defendant is required to contribute to the cost of services rendered (co-payment in the amount to be determined by the U.S. Probation Office based on the ability to pay or availability of third party payment).

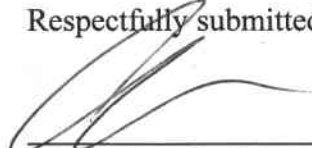
CAUSE

Mr. Schieder is currently receiving substance abuse treatment at Horizon Health Services. His counselor has recommended a psychiatric evaluation due to Mr. Schieder's past suicide attempt in 2006. Mr. Schieder has voluntarily signed the Prob 49 form indicating that he is willing to undergo such evaluation, and treatment if necessary.

Based this treatment request, our office is respectfully recommending that Your Honor modify the conditions to include a mental health treatment evaluation. Attached is the signed copy of the PROB 49 form, showing his agreement with this modification.

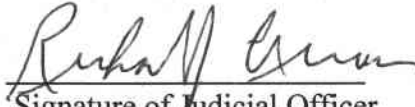
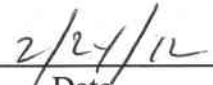
Reviewed by:


Wm. Brian Burns
Supervising U.S. Probation Officer
Date: 02/23/12

Respectfully submitted,

by
Christopher C. Calero
U.S. Probation Officer
Date: 02/23/12

THE COURT ORDERS:

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other


Signature of Judicial Officer

Date

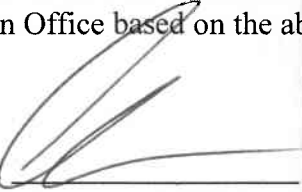
**United States District Court
Western District of New York**

**Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision**


I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing. I further understand that all previously imposed conditions will remain in effect.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

The defendant is to submit to a mental health evaluation. If indicated by the evaluation, the defendant shall participate in mental health treatment, the details of such treatment to be approved by the U.S. Probation Office. The defendant is not to leave such treatment until discharge is agreed to by the U.S. Probation Office and the treating agency. While in treatment or taking psychotropic medication, the defendant shall abstain from the use of alcohol. The defendant is required to contribute to the cost of services rendered (co-payment in the amount to be determined by the U.S. Probation Office based on the ability to pay or availability of third party payment).

Witness: 

Christopher C. Calero
U.S. Probation Officer

Signed: 

Craig J. Schieder
Supervised Releasee

2/21/12
Date